

ENTERED

June 27, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CASE NO. 2:18-MJ-1945
	§	
RAYMOND HERRERA	§	

ORDER DETAINING MATERIAL WITNESS

Material Witness, NICANOR HERNANDEZ-CARBALLIDO, appeared in open court with counsel and a hearing was held pursuant to the Bail Reform Act, 18 U.S.C. Sec. 3142(f). Testimony from a Border Patrol Agent revealed that said witness had previously been deported or removed, and if released on bond, the witness would be immediately deported and unavailable for trial or deposition. Accordingly, the Government's motion for detention is GRANTED. If, after order and receiving the appropriate immigration documents related to the material witness, the Border Patrol is unable to produce a copy of a written order of deportation or removal, counsel for the material witness may request a hearing to reconsider the denial of bond.

The material witness is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The material witness shall be afforded a reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall

deliver the material witness to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 27th day of June, 2018.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE